

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, ) CASE NO. 06-462 M  
v. )  
LAI NGUYEN, ) DETENTION ORDER  
Defendant. )

**Offense charged:**

Conspiracy to Distribute Marijuana, in violation of Title 21, U.S.C., Sections 841(a)(1), 841(b)(1)(B), and 846.

Date of Detention Hearing: September 12, 2006

21 The Court, having conducted a contested detention hearing pursuant to Title 18  
22 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention  
23 hereafter set forth, finds that no condition or combination of conditions which the defendant  
24 can meet will reasonably assure the appearance of the defendant as required and the safety  
25 of any other person and the community. The Government was represented by Douglas  
26 Whalley. The defendant was represented by Allen Bentley.

**DETENTION ORDER**  
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1                   FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

2                   (1) There is probable cause to believe the defendant committed the drug  
3                   offense. The maximum penalty is in excess of ten years. There is  
4                   therefore a rebuttable presumption against the defendant's release based  
5                   upon both dangerousness and flight risk, under Title 18 U.S.C. §  
6                   3142(e).

7                   (2) Nothing in this record satisfactorily rebuts the presumption against  
8                   release for several reasons: Using the factors below, under Title 18 §  
9                   3142 (g), the Court considered the following:

10                  (a) Defendant has no ties to the Western District of Washington and  
11                   no stable residence, therefore he poses a risk of flight.

12                  (b) Although defendant reports a salary, there is no known  
13                   employment or source of funds other than, it appears, illegal  
14                   means.

15                  (c) Due to the nature of the instant offence, defendant is viewed as a  
16                   risk of danger.

17                  (3) Based upon the foregoing information, which is consistent with the  
18                   recommendation of U.S. Pre-trial Services, it appears that there is no  
19                   condition or combination of conditions that would reasonably assure  
20                   future Court appearances and/or the safety of other persons or the  
21                   community.

22                   **It is therefore ORDERED:**

23                  (1) The defendant shall be detained pending trial and committed to the  
24                   custody of the Attorney General for confinement in a correction facility  
25                   separate, to the extent practicable, from persons awaiting or serving  
26                   sentences or being held in custody pending appeal;

- 1 (2) The defendant shall be afforded reasonable opportunity for private
- 2 consultation with counsel;
- 3 (3) On order of a court of the United States or on request of an attorney for
- 4 the Government, the person in charge of the corrections facility in which
- 5 the defendant is confined shall deliver the defendant to a United States
- 6 Marshal for the purpose of an appearance in connection with a court
- 7 proceeding; and
- 8 (4) The clerk shall direct copies of this order to counsel for the United
- 9 States, to counsel for the defendant, to the United States Marshal, and to
- 10 the United States Pretrial Services Officer.

11 DATED this 13<sup>th</sup> day of September, 2006.

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15 MONICA J. BENTON  
16 United States Magistrate Judge  
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